

“Inactive licensee” means any person licensed to practice medicine and surgery, osteopathic medicine and surgery or osteopathy in Iowa who has met all conditions of officially placing their license on inactive status and may not practice medicine and surgery, osteopathic medicine and surgery or osteopathy, until the reentry requirements as defined in these rules are met.

“Licensee” means any person licensed to practice medicine and surgery, osteopathic medicine and surgery or osteopathy in the state of Iowa.

653—11.11(272C) Continuing education requirements.

11.11(1) Except as provided in these rules, a total of 40 hours of approved continuing education classified as category 1 hours shall be required as a condition for biennial license renewal. Continuing education hours shall be determined by the board on a pro-rata basis beginning one year from the date of original issuance of the license to facilitate biennial renewal according to month and year of birth.

a. and b. Rescinded IAB 5/21/97, effective 6/25/97.

11.11(2) A licensee desiring to obtain credit for carry-over hours, not to exceed 20 category 1 hours earned, shall report the carry-over credit at the time of filing the biennial report.

11.11(3) Hours of continuing education credit may be obtained by attending a continuing education activity, which meets the requirement herein and is approved by the board pursuant to rules 11.12(272C) and 11.13(272C). In addition, 50 hours of approved category 1 continuing education credit shall be granted to a licensee for each year of training, successfully completed, in an approved residency or fellowship training program.

11.11(4) In lieu of the continuing medical education requirements set forth herein, the board will accept a current physician’s recognition award of the American Medical Association, the individual activity report of the American Osteopathic Association, or a current certificate of continuing education from medical organizations recognized by the American Medical Association for fulfilling the requirements of the American Medical Association Physician’s Recognition Award.

11.11(5) It is the responsibility of each licensee to finance their costs of continuing education.

653—11.12(272C) Standards for approval. A continuing education activity shall be qualified for approval if the board determines that:

11.12(1) It constitutes an organized program of learning which contributes directly to the professional competency of the licensee; and

11.12(2) It pertains to subject matter which integrally relates to the practice of medicine and surgery, osteopathic medicine and surgery or osteopathy; and

11.12(3) It is conducted by individuals who have the education, training and experience to be considered experts in the subject matter of the program.

653—11.13(272C) Accreditation of sponsors. In addition to the standards for approval set forth in rule 11.12(272C), the board has adopted the standards and criteria established by either the Accreditation Council for Continuing Medical Education or the standards and criteria established by the committee on Continuing Medical Education of the American Osteopathic Association in accrediting organizations and institutions offering continuing medical education programs. Attendance at approved programs sponsored by an accredited organization and institution which have been classified by the accredited sponsor as a category 1 activity, will be accepted as credit towards the licensee’s continuing medical education requirements for annual renewal of licensure.

653—11.14(272C) Hearings. In the event of denial, in whole or part, of credit for continuing education activity, the applicant or licensee shall have the right, within ten days after the sending of the notification of the denial by ordinary mail, to request a hearing which shall be held within 20 days after receipt of the request for hearing. The hearing shall be conducted by the board or a qualified administrative law judge designated by the board, in substantial compliance with the hearing procedure set forth in rule 12.50(147,148,17A). If the hearing is conducted by an administrative law judge, the administrative law judge shall submit a transcript of the hearing including exhibits to the board after the hearing with the proposed decision of the administrative law judge. The decision of the board or decision of the administrative law judge after adoption by the board shall be final.

653—11.15(272C) Reports and records. Each licensee shall file evidence of continuing medical education satisfactory to the board at the time of licensure renewal. A report of the continuing medical education on a form furnished by the board shall be sent to the Executive Director, Iowa State Board of Medical Examiners, Executive Hills West, Capitol Complex, Des Moines, Iowa 50319-0180 or to such other address as may be designated on the form.

11.15(1) The board relies upon each individual licensee's integrity in certifying compliance with the continuing medical education requirements in this chapter. Nevertheless, the board reserves the right to require any licensee to submit additional evidence demonstrating to the board compliance with these continuing medical education requirements.

11.15(2) The licensee shall maintain a file containing records documenting continuing education activities, including dates, subjects, duration of programs, registration receipts where appropriate and any other relevant material for a period of four years after the date of the program.

653—11.16(272C) Attendance record. The board shall monitor licensee attendance at approved programs by random inquiries of accredited sponsors.

653—11.17(272C) Exemptions for inactive practitioners. A licensee who is not engaged in practice in the state of Iowa may be granted a waiver of compliance and obtain a certificate of exemption upon written application to the board. The application shall contain a statement that the applicant will not engage in the practice of medicine and surgery, osteopathic medicine and surgery or osteopathy in Iowa, without first complying with all regulations governing reinstatement after exemption. The application for a certificate of exemption shall be submitted upon the form provided by the board.

653—11.18(272C) Reinstatement of inactive practitioners. Inactive practitioners who have been granted a waiver of compliance with these regulations and obtained a certificate of exemption shall, prior to engaging in the practice of medicine and surgery, osteopathic medicine and surgery or osteopathy in the state of Iowa, satisfy the following requirements for reinstatement:

11.18(1) Submit written application for reinstatement to the board upon forms provided by the board; and

11.18(2) Furnish in the application evidence of one of the following:

a. The practice of medicine and surgery, osteopathic medicine and surgery or osteopathy in another state of the United States, District of Columbia, territory or foreign country and completion of continuing education for each year of inactive status substantially equivalent in the opinion of the board to that required under these rules; or

- b.* Completion of a total number of hours of accredited continuing education computed by multiplying 20 by the number of years a certificate of exemption shall have been in effect for such applicant; or
- c.* Successful completion of an approved examination conducted within one year immediately prior to the submission of such application for reinstatement.

653—11.19(272C) Exemptions for active practitioners. A physician licensed under this rule shall be exempt from the continuing education requirements for:

11.19(1) Periods that the licensee serves honorably on active duty in the military;

11.19(2) Periods that the licensee is a resident of another state or district having a continuing education requirement for the profession and the licensee meets all requirements of that state or district for practice therein;

11.19(3) Periods that the licensee is a government employee working in the licensee's specialty and assigned to duty outside the United States; or

11.19(4) For other periods of active practice and absence from the state approved by the board.

653—11.20(272C) Physical disability or illness. The board may, in individual cases involving physical disability or illness, grant waivers of the minimum education requirements or extensions of time within which to fulfill the same or make the required reports. No waiver or extension of time shall be granted unless written application therefor shall be made on forms provided by the board and signed by the licensee and attending physician. Waiver of the minimum educational requirements may be granted by the board for any period of time not to exceed one calendar year. In the event that the physical disability or illness upon which a waiver has been granted continues beyond the period of waiver, the licensee must reapply for an extension of the waiver. The board may, as a condition of any waiver granted, require the applicant to make up a certain portion of all of the minimum educational requirements waived by such methods as may be prescribed by the board.

653—11.21(272C) Noncompliance. A licensee who in the opinion of the board does not satisfy the requirements for license renewal stated in this chapter will be placed on probationary status and notified of the fact within 30 days after the renewal date. Within 90 days after such notification, the licensee must submit evidence to the board demonstrating that the deficiencies have been satisfied. If the deficiencies are not made up within the specified period of time, the licensee's license will be classified as lapsed without further hearing.

653—11.22(147) Licenses. When the board issues a license to practice, it shall record the licensee's name, license number and other identifying information in the board's computer records, in keeping with the intent of Iowa Code section 147.5. These computer files shall be backed up weekly with off-site storage of the backup files. Computer record keeping will be done in lieu of prior technology, a handwritten record book and cross-referenced licenses.

653—11.23 to 11.29 Reserved.

653—11.30(147) License renewal. A permanent license to practice medicine and surgery, osteopathic medicine and surgery or osteopathy shall expire biennially on the first day of the birth month of the licensee and may be renewed as determined by the board without examination upon application of the licensee. Licenses of persons born in even-numbered years shall expire in even-numbered years, and licenses of persons born in odd-numbered years shall expire in odd-numbered years. Application for license renewal shall be made in writing accompanied by the required fee not later than the expiration date. Renewal certificates shall be displayed along with the original license in the primary location of practice.

11.30(1) Each licensee shall be sent a renewal notice by mail at least 60 days prior to the expiration date of the license. A penalty of \$50 per calendar month shall be assessed by the board after the expiration date of the license. The penalty, however, shall not exceed \$200. Failure of a licensee to renew a license within four months following its expiration date shall cause the license to lapse and shall invalidate it. A licensee whose license has lapsed and become invalid is prohibited from the practice of medicine and surgery, osteopathic medicine and surgery or osteopathy until the license is reinstated in accordance with rule 11.32(147).

11.30(2) An issued permanent license shall be valid for a period not to exceed two years and two months as determined by the board in accordance with the physician's birth month and year.

11.30(3) The renewal fee for a permanent license issued during a calendar year shall be prorated on a monthly basis according to the date of issue and the physician's month and year of birth.

11.30(4) Licensees shall notify the board of any change in their home address or the address of their place of practice, within 30 days of making an address change.

653—11.31(147) Fees. The following fees shall be collected by the board and shall not be refunded except by board action in unusual instances such as documented illness of the applicant, death of the applicant, inability of the applicant to comply with the rules of the board, or withdrawal of the application provided such withdrawal is received in writing by the cancellation date specified by the board. Examination fees shall be nontransferable from one examination to another. Refunds of examination fees shall be subject to a nonrefundable administrative fee of \$75 per application. The administrative fee shall be deducted by the board or its designated testing service prior to actual refund.

11.31(1) For a license to practice medicine and surgery or osteopathic medicine and surgery issued upon the basis of an examination given by the board prior to January 1, 1987, \$350. For a license to practice medicine and surgery or osteopathic medicine and surgery issued upon the basis of an examination given by the board between January 1, 1987, and May 31, 1991, \$525. For a license to practice medicine and surgery or osteopathic medicine and surgery issued upon the basis of an examination given by the board subsequent to May 31, 1991, \$300.

11.31(2) For a license to practice medicine and surgery, osteopathic medicine and surgery or osteopathy issued by endorsement, \$300.

11.31(3) For a renewal of a license to practice medicine and surgery, osteopathic medicine and surgery or osteopathy, \$200 per biennial period or a prorated portion thereof for a period of less than two years as determined by the board to facilitate biennial renewal according to month and year of birth.

11.31(4) Upon written request, the board may provide the following information about the status of licensees or examinees for the designated fees:

a. Written verification that a licensee in this state is licensed.

(1) For a certified statement verifying licensure including the board seal or a letter of good standing, \$25;

(2) For verification of licensure status not requiring certified statements or letters of up to ten licensees, \$15;

(3) For an unlimited number of verifications of licensure status in a 12-month period, an annual subscription fee of \$2000. After June 30, 1994, the annual subscription fee shall be submitted prior to July 31.

b. Written certification of scores of an examination given by the board in this state as permitted under Iowa Code section 147.21 and 653 IAC 1.13(2) “*f*” and “*g*.”

(1) For a certified statement of grades attained by examination, \$35;

(2) For a certified statement of grades attained by examination including examination history or other additional documentation, \$45.

c. Documentation of public board actions subsequent to 653—subrule 1.3(7).

(1) For a certified copy of original documents affecting the licensure status of licensees including final orders and consent agreements, \$35.

(2) For a copy of public documents related to board actions, rulings or procedures on licensure and disciplinary matters, \$20.

11.31(5) For a duplicate license, which shall be so designated on its face, upon satisfactory proof that the original license issued by the Iowa department of public health has been destroyed or lost, \$25.

11.31(6) For license to practice as a resident physician, \$50.

11.31(7) For the renewal of a license to practice as a resident physician, \$25.

11.31(8) For a temporary license, \$150.

11.31(9) For the renewal of a temporary license, \$175.

11.31(10) Rescinded IAB 4/27/94, effective 6/1/94.

11.31(11) For the reinstatement of a revoked or suspended license as outlined in subrule 12.50(36), and in addition to all other applicable fees, an application fee of \$150.

11.31(12) For reinstatement of a lapsed license, in addition to the penalties as outlined in 11.30(1) and the renewal fees as outlined in 11.32(1) “*b*,” an application fee of \$150.

11.31(13) For a special license to practice medicine and surgery or osteopathic medicine and surgery, an annual fee of \$175.

11.31(14) For taking Step 3 of the United States Medical Licensing Examination (USMLE) administered by the board or its designated testing service subsequent to January 1, 1998, \$505.

11.31(15) For taking the Federation Special Purpose Examination administered by the board subsequent to May 31, 1991, \$350.

653—11.32(147) Reinstatement of lapsed license. Application for reinstatement of a lapsed license may not preclude other disciplinary actions by the board as provided in this chapter.

11.32(1) Licensees who allow their licenses to lapse by failing to renew such license may be reinstated without examination by submitting the following.

a. A completed application for reinstatement of a license to practice medicine and surgery or osteopathic medicine and surgery.

b. Payment of the renewal fees due provided that such fees shall not exceed \$650 as computed by the board.

c. Evidence of 20 category 1 hours of continuing medical education for each lapsed year in accordance with rule 11.11(272C). Such hours shall not exceed 80 for reinstatement except when there is a demonstrated need for specialized education as determined by the board through a personal interview with the applicant.

1. The board may grant an extension of time of up to one year to allow compliance with continuing education requirements for reinstatement.

2. An exemption from the required reporting of continuing medical education for the purpose of reinstatement of an active practitioner may be granted by the board in accordance with rule 11.19(272C).

11.32(2) The board may require a licensee applying for reinstatement to successfully complete Step 3 of the USMLE with a passing score of 75 percent or better or the special purpose examination (SPEX) with a passing score of 75 percent or better in lieu of 11.32(1) “c” when the board finds reason to doubt the licensee’s ability to practice medicine and surgery, osteopathic medicine and surgery, or osteopathy with reasonable skill and safety.

11.32(3) When the board finds that a practitioner applying for reinstatement is or has been subject to disciplinary action taken against a license held by the applicant in another state of the United States, District of Columbia, territory, or foreign country and the violations which resulted in such actions would also be grounds for discipline in Iowa in accordance with rule 12.4(272C), the board may deny reinstatement of a license to practice medicine and surgery, osteopathic medicine and surgery, or osteopathy in Iowa or may impose any applicable disciplinary sanction as specified in rule 12.2(272C) as a condition of reinstatement.

11.32(4) For reactivation of an application for license to practice medicine and surgery, osteopathy or osteopathic medicine and surgery, issued either upon the basis of board examination or endorsement, as specified in 11.2(3), \$150.

653—11.33(17A) Forms. All applications for examinations, certificates and licenses shall be on forms prescribed by the board. These forms may include, but not be limited to, the following, and where practicable, any one or more of the following forms may be consolidated into a single form.

<u>Board Form</u>	<u>Form Title</u>
1.	Application for permanent Iowa medical license.
2.	Resident physician’s application for licensure.
3.	Application for a temporary Iowa medical license.
4.	Application for supervising physician for physician assistants.
5.	Application for reinstatement of a lapsed Iowa medical license.
6.	Application for renewal of a medicine and surgery license.
7.	Application for renewal of an osteopathic medicine and surgery license.
8.	Application for renewal of an osteopathic license.
9.	Application for renewal of a resident physician’s license.
10.	Complaint form.
11.	Report of continuing medical education.
12.	Certificate of exemption from continuing education requirements.
13.	Application for waiver of minimum education requirements due to disability or illness.
14.	Application for a special Iowa medical license.

11.33(1) Whenever the board denies licensure to an applicant, the board shall by U.S. first-class certified mail, return receipt requested, or in the manner of service of an original notice notify the applicant of the licensure denial in writing, citing the reasons for which the application was denied, and the date upon which the denial took place.

11.33(2) Reserved.

653—11.34(147,148,150) Licensure denied—appeal procedure. An applicant who has been denied licensure by the board may appeal the denial and request a hearing on the issues related to the licensure denial by serving a notice of the appeal and request for hearing upon the executive director not more than 30 days following the date of the mailing of the notification of licensure denial to the applicant or, not more than 30 days following the date upon which the applicant was served notice if notification was made in the manner of service of an original notice. The request for hearing as outlined herein shall specifically delineate the facts to be contested and determined at the hearing.

653—11.35(147,148,150) Licensure denied—hearing. If an applicant who has been denied licensure by the board appeals the licensure denial and requests a hearing pursuant to 11.34(147,148,150), the hearing and subsequent procedures shall be pursuant to the process outlined in 653—subrules 12.50(13) to 12.50(32) inclusive.

These rules are intended to implement Iowa Code chapters 147, 148, 150, 150A and 272C.

[Filed 2/5/79, Notice 11/29/78—published 2/21/79, effective 3/29/79]

[Filed 2/27/81, Notice 1/7/81—published 3/18/81, effective 4/22/81]

[Filed 4/9/82, Notice 2/3/82—published 4/28/82, effective 6/2/82]

[Filed 6/14/82, Notice 4/28/82—published 7/7/82, effective 8/11/82]

[Filed 11/5/82, Notice 9/29/82—published 11/24/82, effective 12/29/82]

[Filed emergency after Notice 4/28/83, Notice 2/2/83—published 5/25/83, effective 4/28/83]

[Filed 9/9/83, Notice 8/3/83—published 9/28/83, effective 11/2/83]

[Filed 1/13/84, Notice 12/7/83—published 2/1/84, effective 3/7/84]

[Filed emergency 3/8/85—published 3/27/85, effective 3/8/85]

[Filed emergency 8/9/85—published 8/28/85, effective 8/9/85]

[Filed 5/30/86, Notice 3/26/86—published 6/18/86, effective 7/23/86]

[Filed emergency 7/25/86—published 8/13/86, effective 7/25/86]

[Filed 9/3/86, Notice 7/16/86—published 9/24/86, effective 10/29/86]

[Filed 10/1/86, Notice 8/13/86—published 10/22/86, effective 11/26/86]

[Filed 1/23/87, Notice 12/17/86—published 2/11/87, effective 3/18/87]

[Filed 9/2/87, Notice 7/29/87—published 9/23/87, effective 10/28/87]

[Filed emergency 4/15/88—published 5/4/88, effective 4/15/88]

[Filed 4/25/89, Notice 2/22/89—published 5/17/89, effective 6/21/89]

[Filed 5/11/90, Notice 3/7/90—published 5/30/90, effective 6/6/90]

[Filed 8/2/90, Notice 5/30/90—published 8/22/90, effective 9/26/90]

[Filed 1/2/91, Notice 11/14/90—published 1/23/91, effective 2/27/91]

[Filed 6/7/91, Notice 5/1/91—published 6/26/91, effective 7/31/91]

[Filed 4/24/92, Notice 2/19/92—published 5/13/92, effective 6/17/92]

[Filed 11/19/93, Notice 10/13/93—published 12/8/93, effective 1/12/94]

[Filed 1/10/94, Notice 11/24/93—published 2/2/94, effective 3/9/94]

[Filed 4/1/94, Notice 2/2/94—published 4/27/94, effective 6/1/94]

[Filed 2/23/96, Notice 9/27/95—published 3/13/96, effective 4/17/96]

[Filed 2/23/96, Notice 1/3/96—published 3/13/96, effective 4/17/96]

[Filed 10/4/96, Notice 4/24/96—published 10/23/96, effective 11/27/96]

[Filed 12/13/96, Notice 10/23/96—published 1/1/97, effective 2/5/97]

[Filed 5/2/97, Notice 3/12/97—published 5/21/97, effective 6/25/97]

[Filed 12/1/97, Notice 9/24/97—published 12/17/97, effective 1/21/98]

[Filed 6/12/98, Notice 4/8/98—published 7/1/98, effective 8/5/98]

[Filed 11/10/99, Notice 9/22/99—published 12/1/99, effective 1/5/00]